## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO: 3:02CV101

GRECON DIMTER, INC.,	)	
Plaintiff/Counter-Defendant,	)	
	)	
vs.	)	<u>ORDER</u>
	)	
HORNER FLOORING CO., INC.,	)	
Defendant/Counter-Plaintiff.	)	
	)	

THIS MATTER IS BEFORE THE COURT on "Horner Flooring Company's Motion to Compel Discovery" ("Motion to Compel") (Document No. 66), filed July 19, 2005 by Horner Flooring Co., Inc. ("Horner"); "Plaintiff's Response to Defendant's Motion ..." (Document No. 69), filed August 5, 2005 by Grecon Dimter, Inc. ("Grecon Dimter"); and the "Horner's Reply to Grecon's Response ..." (Document No. 74), filed September 7, 2005 by Grecon Dimter. For the reasons set forth in the hearing held before the undersigned on Tuesday, October 11, 2005, the Court will grant the Motion to Compel.

IT IS, THEREFORE, ORDERED that "Horner Flooring Company's Motion to Compel Discovery" (Document No. 66) is **GRANTED**. The Court's ruling is specifically made with respect to the thirty-three mills identified by Grecon Dimter in response to Horner's First Set of Interrogatories No. 3.

**IT IS FURTHER ORDERED** that Grecon Dimter produce to Horner all documents and answers responsive to Horner's First Set of Interrogatories Nos. 3 and 5-7 and Horner's First Set of Requests for Production No. 31 as soon as practicably possible. If the parties need the Court's assistance in setting a deadline, the parties should contact the Court.

## Signed: October 12, 2005

David C. Keesler

United States Magistrate Judge